

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

DENNIS G. WHITTIE,

Plaintiff,

Case No. 14-10070

v.

Hon. John Corbett O'Meara

CITY OF RIVER ROUGE, *et al.*,

Defendants.

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**ORDER GRANTING IN PART DEFENDANTS'  
MOTION TO CONTINUE PLAINTIFF'S DEPOSITION**

Before the court is Defendants' motion to continue Plaintiff's deposition for an additional seven hours. Plaintiff was deposed in the first phase of this employment case, then amended his complaint to add new claims (termination) and a new defendant. Defendants deposed Plaintiff again regarding the new claims for over seven hours, the presumptive limit pursuant to Federal Rule of Civil Procedure 30(d)(1). Plaintiff terminated that deposition after seven hours, declining to agree to additional time. Defendants filed this motion, seeking an additional seven hours to depose Plaintiff.

In their motion, Defendants stated that they need the additional time to examine Plaintiff regarding mitigation of damages. This area of inquiry does not warrant seven additional hours of deposition time. Moreover, having reviewed the

record, the court finds that Defendants have not demonstrated that this case is sufficiently complicated to warrant deposing Plaintiff for an additional seven hours. The court will allow Defendants an additional two hours to depose Plaintiff, which should be sufficient to explore the issue of damages. (The court notes that it is not limiting the topics about which Defendants may question Plaintiff.)

Accordingly, IT IS HEREBY ORDERED that Defendants' motion to continue the deposition of Plaintiff is GRANTED IN PART, consistent with this order.

s/John Corbett O'Meara  
United States District Judge

Date: March 14, 2017

I hereby certify that a copy of the foregoing document was served upon counsel of record on this date, March 14, 2017, using the ECF system.

s/William Barkholz  
Case Manager